

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 14406US02

In the Application of:

Ronald Mahany et al.

Serial No. 10/631,071

Filed: July 31, 2003

For: RADIO FREQUENCY LOCAL  
AREA NETWORK

Examiner: M. Santiago Cordero

Group Art Unit: 2617

Confirmation No.: 3942

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is  
being sent via EFS-Web to the United  
States Patent and Trademark Office on  
October 14, 2008.

/Philip Henry Sheridan/

Philip Henry Sheridan

Reg. No. 59,918

**LITIGATION STATEMENT PURSUANT TO MPEP § 2001.06(C) and SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with MPEP § 2001.06(c), the Applicants would like to bring to the attention of the U.S. Patent and Trademark Office that the subject matter currently being claimed in the present application may be related to at least one of the patents currently asserted by owner of record of the present application, Broadcom Corporation, in a stayed patent infringement action between Broadcom and Qualcomm, Inc., in the Central District of California, Civil Action No. 05-468. Further, U.S. Patent No. 6,374,311 was a subject of a U.S. International Trade Commission ("ITC") investigation styled *In the Matter of Certain Baseband Processor Chips and Chipsets, Transmitter and Receiver (Radio) Chips, Power Control Chips, and Products Containing Same, Including Cellular Telephone Handsets*, Investigation No. 337-TA-543 ("ITC Investigation"). The administrative law judge in the ITC Investigation found that although the claims at issue of the '311 patent were valid, Qualcomm's chipsets did not infringe the claims at issue of the '311 patent. The ITC Investigation judgment was then appealed to the U.S. Court of Appeals for the Federal Circuit. On September 19, 2008, the Court of Appeals for the Federal Circuit affirmed the Commission's determination that Qualcomm's chipsets do not infringe the '311 patent, **and did not overturn the ITC's finding that the '311 patent is valid.**

Further, the Applicant submits herewith a Supplemental Information Disclosure Statement, including form PTO/SB/08 and a copy of the Court of Appeals for the Federal Circuit's decision to be placed in the file. One (1) reference is attached in one electronic submission for the Supplemental Information Disclosure Statement.

This submission is in no way intended as an admission that the submitted reference constitutes prior art under any subsection of 35 U.S.C. §102 or §103. Applicant expressly retains the right to argue that the cited reference is not indeed prior art or to take any actions necessary to remove the cited reference from the available prior art.

The Commissioner is hereby authorized to charge any fees which are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

Respectfully submitted,

Date: October 14, 2008

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